

2:20-cr-00018-JCM-EJY

1 UNITED STATES DISTRICT COURT

2 DISTRICT OF NEVADA

3
4 UNITED STATES OF AMERICA,)

5 Plaintiff,)

6 vs.)

7 FRANCISCO JAVIER MARES,)

8 Defendant.)

Case No. 2:20-cr-00018-JCM-EJY

Las Vegas, Nevada

Wednesday, March 23, 2022

10:16 a.m. - 10:40 a.m.

Courtroom 6A

Revocation of Pretrial Release
and Imposition of Sentence

9)
10) **C E R T I F I E D C O P Y**
11)

12
13 REPORTER'S TRANSCRIPT OF PROCEEDINGS

14 BEFORE THE HONORABLE JAMES C. MAHAN,
15 UNITED STATES DISTRICT JUDGE

16
17 APPEARANCES: See next page
18

19
20 COURT REPORTER: Samantha N. McNett, RPR, CRR, CCR
21 United States District Court
22 333 Las Vegas Boulevard South, Room 1334
23 Las Vegas, Nevada 89101
24 Samantha_McNett@nvd.uscourts.gov

25 Proceedings reported by machine shorthand, transcript produced
by computer-aided transcription.

2:20-cr-00018-JCM-EJY

APPEARANCES

For the Plaintiff:

ALLISON REESE, ESQ.
LISA CARTIER-GIROUX, ESQ.
UNITED STATES ATTORNEY'S OFFICE
501 Las Vegas Boulevard South, Suite 1100
Las Vegas, Nevada 89101
702-388-6336

For the Defendant:

ADAM GILL, ESQ.
AISEN GILL & ASSOCIATES
723 South Third Street
Las Vegas, Nevada 89101
702-750-1590

Also present:

Angela Loveless, Pretrial Services Officer
Erica Strome, United States Probation Officer

* * *

2:20-cr-00018-JCM-EJY

1 LAS VEGAS, NEVADA; WEDNESDAY, MARCH 23, 2022; 10:16 A.M.

2 --oOo--

3 P R O C E E D I N G S

4 THE COURTROOM ADMINISTRATOR: This is the time set for
5 the revocation of pretrial release and imposition of sentence
6 in case number 2:20-cr-00018-JCM-EJY, United States of America
7 versus Francisco Javier Mares.

8 Counsel, please enter your appearances for the record.

9 MS. REESE: Good morning, your Honor. Allison Reese
10 and Lisa Cartier-Giroux on behalf of the United States.

11 THE COURT: Thank you.

12 MR. GILL: Good morning, your Honor. Adam Gill on
13 behalf of Mr. Mares. He is present at liberty.

14 THE COURT: All right. Thank you. You may be seated.

15 All right. This is a revocation of pretrial release
16 and imposition of sentence, but I'm inclined to -- I think the
17 revocation of pretrial release is moot. I mean, we're here --
18 okay? -- for sentencing.

19 So Mr. Gill, did you have anything?

20 MR. GILL: No Judge.

21 I will say that the charge that we were -- that
22 triggered the pretrial release revocation was denied, but,
23 again, we are here ready for sentencing and ready to proceed.

24 THE COURT: Okay. All right. Are the parties ready
25 then to proceed with sentencing?

2:20-cr-00018-JCM-EJY

1 MS. CARTIER-GIROUX: Your Honor, we have an issue
2 with -- I think Ms. -- in part of the request for a status
3 hearing, Ms. Reese indicated that we have an issue with now --
4 with what the factual basis is for the plea. Apparently, now,
5 which was not contemplated at the time when we entered into the
6 plea, there's an assertion that but for some threats that were
7 purportedly made by the CS, these events would not have
8 occurred.

9 THE COURT: I understand that.

10 MS. CARTIER-GIROUX: Uh-huh.

11 THE COURT: But let me hear from Mr. Gill then.

12 MS. CARTIER-GIROUX: Okay.

13 MR. GILL: Judge, these threats were made to
14 Mr. Mares's sister who then relayed them to him that he needed
15 to participate --

16 THE COURT: The threats were made to the sister about
17 her husband?

18 MR. GILL: Correct.

19 THE COURT: That's right.

20 MR. GILL: And --

21 THE COURT: So there was no threat to anybody in his
22 immediate family?

23 MR. GILL: And he acknowledges and takes
24 responsibility for his actions.

25 THE COURT: Well, I mean, he pleaded guilty.

2:20-cr-00018-JCM-EJY

1 I mean, I'm giving away my inclination, but I'm
2 inclined to deny it because if -- if this, in fact, were a
3 threat -- in other words, "Mr. Gill, I'm going to come over to
4 your house and kill your children," you wouldn't plead guilty.
5 You would say, "No. Wait. I had to" -- when you were first
6 arrested, you'd say, "Wait. Wait. The only reason I did this
7 was because he threatened -- Judge Mahan threatened my family."

8 MS. CARTIER-GIROUX: Right. I understand, your Honor.

9 THE COURT: And that's missing.

10 And I've reviewed your -- and I don't mean to cut you
11 off. I'll give you a chance, Ms. Cartier-Giroux.

12 MS. CARTIER-GIROUX: Okay.

13 THE COURT: But -- but I went through your video and
14 that just -- that just seems to back up what I'm saying,
15 that -- and I'm making this name up -- Jose Gonzalez from the
16 Cartel came over and threatened the codefendant and -- who
17 happens to be his brother-in-law. So he pleads guilty. And
18 then he says, "Oh, wait. I can use that myself. I'll use
19 that. Yeah. Yeah. That was -- he threatened a member of my
20 family." And it's so telling that the defendant doesn't say,
21 "Jose Gonzalez came over. It's the Cartel."

22 MS. CARTIER-GIROUX: I understand what you're --

23 THE COURT: "The Cartel did it. You know, the
24 Cartel."

25 It's like, you know, the big bad Government or, you

2:20-cr-00018-JCM-EJY

1 know, the military industrial complex or something. It's --
2 there's nothing -- it's just not believable. It's not
3 credible.

4 Now, let me --

5 MS. CARTIER-GIROUX: And that's fine, Judge.

6 That was our issue with it is that we don't believe
7 that those statements are -- are credible. And we looked into
8 it, actually, because it was an allegation made against a CS.

9 THE COURT: Well, of course, you did.

10 MS. CARTIER-GIROUX: And we do not believe that those
11 statements are, in fact, credible. And we have not been
12 provided with any real basis to believe that. We have an idea
13 of what actually happened and we don't think that it had
14 anything to do with the CS.

15 THE COURT: All right. Thank you.

16 MS. CARTIER-GIROUX: Okay.

17 THE COURT: Now, Mr. Gill, I'll --

18 MR. GILL: I'll submit it, your Honor. And, again,
19 we're ready to proceed.

20 THE COURT: And again, if -- he never -- you never
21 would have pleaded guilty.

22 Hold up. Just be at ease a minute while the two -- he
23 never would have pleaded guilty if, in fact, that was his
24 motivating factor. So I don't think it was.

25 Now, do you want to add anything?

2:20-cr-00018-JCM-EJY

1 MR. GILL: I don't, your Honor. Thank you.

2 THE COURT: All right. Anything else?

3 MS. REESE: No, your Honor. Thank you.

4 THE COURT: On this issue? On this issue?

5 Okay. Are the parties ready to proceed with
6 sentencing today?

7 MS. REESE: Yes, your Honor.

8 MR. GILL: Yes, your Honor.

9 THE COURT: All right. Mr. Gill, let me ask you and
10 the -- how do you pronounce your last name? Mares?

11 THE DEFENDANT: Mares.

12 THE COURT: Mares, yes, sir.

13 You and Mr. Mares to approach the lectern. I need
14 each one of you by a microphone.

15 MR. GILL: Okay. We do have mics here, your Honor.

16 THE COURT: I know. These are the best mics in the
17 house. I want to get a clean record.

18 MR. GILL: Okay.

19 THE COURT: These are the -- some of the attorneys
20 have heard this before.

21 MR. GILL: Yeah.

22 THE COURT: This is the wand of the microphone. These
23 are the longest wands that you can get. But I -- if you're --
24 when the Court -- when you're addressing the Court, you stand
25 up, but if you stand up you're like this and the mic doesn't

2:20-cr-00018-JCM-EJY

1 pick up what you're saying. And so it's -- I've tried to get
2 them -- these are the longest wands in the entire federal
3 system. So -- okay.

4 All right. Are the parties ready -- take a moment.
5 Parties ready to proceed with sentencing?

6 MS. REESE: Yes, your Honor.

7 MR. GILL: Yes, your Honor.

8 THE COURT: All right. Any reason why sentence should
9 not be imposed at this time?

10 MR. GILL: No.

11 THE COURT: Mr. Mares, this is the time set for
12 imposition of sentence upon you in case number 2:20-cr-18. On
13 June 2, 2021, you appeared before the Court and entered a plea
14 of guilty to Count 1 of the control -- of the criminal
15 indictment, distribution of a controlled substance,
16 methamphetamine, which is a violation of 21 USC
17 Section 841(a)(1) and subsection (b)(1)(A)(viii). Having
18 reviewed the presentence report and plea agreement, the Court
19 hereby accepts your guilty plea and adjudicates you guilty of
20 this charge.

21 Now, no objections were filed to the presentence
22 report. Is that correct, Mr. Gill?

23 MR. GILL: That is correct, your Honor.

24 THE COURT: All right. Do you have any objections?

25 MR. GILL: I do not, your Honor. Thank you.

2:20-cr-00018-JCM-EJY

1 THE COURT: Mr. Mares, did you read the presentence
2 report?

3 THE DEFENDANT: Yes, I did.

4 THE COURT: Did you find any errors or discrepancies
5 in the report?

6 THE DEFENDANT: No, I didn't.

7 THE COURT: All right. All right. Probation
8 calculated the base offense level to be 36. Two levels were
9 subtracted because the defendant meets criteria for safety
10 valve provision in sentencing guideline Section 2D1.1(b) (18)
11 and 5C1.2. That's 5C1.2. 5C1.2.

12 Now, the Court may impose a sentence without regard to
13 the mandatory minimum that would otherwise apply.

14 I think he qualifies for the safety valve.

15 MR. GILL: Thank you, your Honor.

16 THE COURT: And so I'm going to apply that.

17 Three levels were subtracted for acceptance of
18 responsibility resulting in a total offense level of 31
19 applying the safety valve.

20 Total criminal history points are 0 resulting in a
21 criminal history category of Roman numeral I.

22 The maximum statutory term of imprisonment is life.

23 The maximum statutory fine is ten -- I'm sorry --
24 \$10 million. That's hard to say that and not chuckle, but you
25 can just write a check for that, Mr. Mares, you know, the

2:20-cr-00018-JCM-EJY

1 \$10 million. That's the Court's idea of humor. But that's it.
2 That's the maximum, just so you understand, \$10 million.

3 A special assessment of \$100 per count is mandatory.

4 Based on a total offense level of 31 and a criminal
5 history category of Roman numeral I, the guideline range is 108
6 to 135 months with a supervised release term of two to
7 five years and a guideline fine range of \$30,000 to
8 \$10 million. Wow.

9 All right. Ms. Reese, any additional comments before
10 I impose sentence?

11 MS. REESE: Yes, your Honor. If I could just briefly
12 make the record on what sentence I'd request from this Court.

13 Pursuant to the plea agreement, the Government is
14 requesting a 108-month sentence which is the low end of the
15 advisory guideline range, as the Court just determined,
16 followed by five years of supervised release. The Government
17 believes that this is sufficient but not greater than necessary
18 to serve the objectives of sentencing.

19 I did submit a sentencing memorandum that is at ECF 76
20 which I lay out additional reasons for the Government's
21 recommendation. Specifically, your Honor, that the defendant
22 has come before this Court and pled guilty to distributing --
23 or conspiring, I should say, to distribute over four pounds of
24 methamphetamine. And that was actual methamphetamine,
25 methamphetamine that is known by this Court, of course, to be

2:20-cr-00018-JCM-EJY

1 one of the most dangerous drugs on the market that affects
2 hundreds, if not thousands, of people in this city and across
3 the country.

4 I also wanted to note that the defendant's conduct in
5 this case calls for such a sentence specifically taking into
6 consideration the statements made in the mitigation video
7 regarding any purported or alleged threats that the Government
8 does not believe ever occurred from the CS in this case.
9 Specifically, on both instances, the defendant was who brought
10 the drugs to the confidential source.

11 The first time apparently was on behalf of his
12 codefendant. However, this was not a mere -- as the defendants
13 say, it's an Uber situation where he just dropped something off
14 and left. There was a conversation that occurred that detailed
15 additional drug trafficking activity such as how much
16 methamphetamine the defendant was able to acquire, the fact
17 that he doesn't use the same phone number for very long.

18 Even if, for instance, the defendant was acting on
19 behalf of his codefendant on the first deal, he then also
20 brought the drugs to the second deal where the codefendant was
21 also present. Doesn't make much sense why he would also go to
22 that second deal if his presence was also not necessary and
23 integral to this conspiracy.

24 Of note, your Honor, as well is the pending case the
25 defendant has relating to an additional possession of

2:20-cr-00018-JCM-EJY

1 methamphetamine. And that was in November of 2019 in
2 paragraph 71 of the PSR.

3 THE COURT: That's not before me; is that right?

4 MS. REESE: That's correct, your Honor. That is a
5 state court matter at this time.

6 Your Honor, apart from that, the Government just
7 submits that this sentence is consistent with sentences across
8 the country. It is necessary to deter future conduct.

9 And on that, your Honor, I will submit unless you have
10 any questions for me based on this statement and those in my
11 sentencing memorandum.

12 THE COURT: All right. Thank you.

13 All right. Mr. Mares, would you like to address the
14 Court? Would you like to have your attorney speak on your
15 behalf? Or both of you may speak. It's your option.

16 MR. GILL: Sorry, your Honor. He does want to --

17 THE COURT: That's all right.

18 MR. GILL: He does wish to address the Court.

19 THE COURT: Yes, sir. Just speak into the microphone.
20 Understand you're being recorded by the court reporter here.

21 THE DEFENDANT: Is this a little bit better?

22 Good morning, your Honor.

23 THE COURT: Good morning.

24 THE DEFENDANT: First and foremost, I will agree that
25 -- I will take -- I'll admit that I was guilty to what I did.

2:20-cr-00018-JCM-EJY

1 Even though they're saying that the reason why I did what I did
2 was wrong, that's what I -- the whole reason why I'm here. I
3 was just trying to help my sister.

4 Other than that, you know, whatever you decide to dish
5 out, I have to take.

6 With that being said, you know, my -- my criminal
7 history, I don't have one. I've never been really in trouble
8 besides traffic tickets as a kid, you know. Other than that,
9 nothing major.

10 It was a mistake, what I did. If I could go back and
11 do it again, I wouldn't do it. I would, you know, put it in
12 your guys' hands, but at the time when certain things happened,
13 one doesn't really think about things. One thinks about the
14 safety of their family. And that's what I did.

15 THE COURT: All right.

16 MR. GILL: And your Honor, it's clear that you read my
17 sentencing memorandum as well as viewed the video.

18 THE COURT: Yes, sir, I have.

19 MR. GILL: Thank you, your Honor. And I would like to
20 note that the people on the right side of the courtroom -- or
21 your left -- are here for Mr. Mares.

22 THE COURT: Which is fine. Of course, they're welcome
23 to sit in.

24 MR. GILL: Okay. And it includes his mother, his
25 half-brother as well as his sister, one of his sisters.

2:20-cr-00018-JCM-EJY

1 THE COURT: And that's fine.

2 MR. GILL: And Judge, he does have quite a bit of
3 family support. And he's not somebody -- and I'm not going to
4 go into reasons why or why not. The fact is Mr. Mares sold
5 drugs, two occasions, and he pled guilty. You know, we worked
6 out a deal. He's here, he's accepting responsibility, and
7 that's been from day one, Judge.

8 You know, the video that your Honor viewed shows a
9 family man and somebody who works, somebody who cares for his
10 son, and somebody who cares for his extended family. And
11 that's what he wants to continue to be able to do, Judge.

12 He's somebody who has a six-figure paying job. The
13 video did show a statement of his earnings. And he has no -- I
14 think he mentioned it in the video. He has no need -- no
15 financial need to sell drugs or go down this path. He's not
16 somebody who's on the fringe of society who needs to latch onto
17 any kind of money he can get his hands on. That's not
18 Francisco. Francisco is a family man, first and always.

19 He does have a son who's now 13. I think he was -- he
20 might have been 12 in the -- when the video was made or
21 presented to your Honor, but he's 13 years old. He's entering
22 those formative years where he does need his father in his
23 life. His mother, as you saw in the video, lives in
24 California. And Mr. Mares has Xavier full time. He does visit
25 his mother and Francisco pays for those trips for him to visit

2:20-cr-00018-JCM-EJY

1 his mother.

2 Everything about this man, since I've been on this
3 case, your Honor, is about his family. And that's what he's
4 wishing to be able to return to after your Court -- after this
5 Court's sentence.

6 He is and has proven that he can be supervised, Judge.
7 He's not out there on, again, the fringes of society where he's
8 committing crimes to survive or that's his way of life or
9 that's his upbringing. He had a tough upbringing, your Honor,
10 but he's somebody who's made himself the man that stands before
11 you today, admitting and owning up to his mistakes.

12 And this is a -- I mean, obviously, your Honor has
13 seen bigger mistakes, but this is, for Mr. Francisco -- for
14 Francisco, this is as big as it gets. He's pled to a felony.
15 He's going to be a felon and he's done so in the federal court
16 system which, you know, can be a scary proposition for anybody,
17 Judge.

18 But he's here. He's been to all court appearances.
19 He maintains contact with me. He absolutely can be supervised
20 if given the opportunity. And we are asking for a term of
21 supervised release so he can serve his sentence, continue to
22 work, continue to take care of his son, continue to take care
23 of his family.

24 And with that, we'll submit it, your Honor.

25 THE COURT: All right. Having heard statements of

2:20-cr-00018-JCM-EJY

1 counsel for the Government, counsel for the defendant, and the
2 defendant's remarks, having read the presentence report
3 submitted by the probation department, considering its contents
4 and the contents of the plea agreement, the Court hereby
5 accepts the terms of the plea agreement and will embody those
6 terms in the sentence provided.

7 Of course, overriding everything are the factors set
8 forth in 18 USC 3553(a) which the Court always considers when
9 determining an appropriate sentence.

10 So I'm going to vary downward to 96 months. I'm
11 deliberately not penalizing you for -- for your position seeing
12 that your family members were threatened or whatever. I'm
13 putting all of that aside. Do you understand? I'm just
14 focusing on your conduct. I think that's what's -- you should
15 be sentenced based on, your conduct, not based on anything that
16 happened after that in the course of these proceedings that
17 doesn't bear on the conduct itself.

18 So you're hereby committed to the Bureau of Prisons
19 for a term of 96 months. The guideline range in this instance
20 exceeds 24 months but I find that a sentence below that is
21 sufficient but not greater than necessary to have the desired
22 deterrent effect, and thus, satisfies 18 USC Section 3553(c).
23 The -- it's below the guideline range, but I find a downward
24 variance is appropriate based on the nature and characteristics
25 of the offense and the -- primarily -- take a moment.

2:20-cr-00018-JCM-EJY

1 MR. GILL: I'm sorry. Sorry.

2 THE COURT: That's all right. Primarily the -- the
3 circumstances of the offense and the history and
4 characteristics of the defendant.

5 A mandatory penalty assessment of \$100 is required by
6 statute and due immediately.

7 Restitution does not apply in the case.

8 In light of the defendant's financial situation, the
9 fine is being waived.

10 Supervised release will be imposed for a term of five
11 years. While on supervised release, the defendant shall comply
12 with the standard conditions of supervision recommended by the
13 Sentencing Commission and the following mandatory conditions
14 required by statute:

15 1. You must not commit another federal, state, or
16 local crime.

17 2. You must not unlawfully possess a controlled
18 substance.

19 3. You must refrain from any unlawful use of a
20 controlled substance. You must submit to one drug test within
21 15 days of release from imprisonment and at least two periodic
22 drug tests thereafter, as determined by the Court, not to
23 exceed 104 tests annually.

24 4. You must cooperate in the collection of DNA as
25 directed by the probation officer.

2:20-cr-00018-JCM-EJY

1 In addition, the following special conditions are
2 imposed:

3 1. Mental Health Treatment. You must participate in
4 a mental health treatment program and follow the rules and
5 regulations of that program. The probation officer, in
6 consultation with the treatment provider, will supervise your
7 participation in the program as to provider, location,
8 modality, duration, intensity, and so forth.

9 2. No Contact. You must not communicate or otherwise
10 interact with Renalto Consuegra-Clemente, either directly or
11 through someone else, without first obtaining the permission of
12 the probation officer.

13 3. Search and Seizure. You must submit your person,
14 property, house, residence, office, vehicle, papers, computers
15 (as defined in 18 U.S.C. Section 1030(e)(1)), other electronic
16 communications or data storage devices or media to a search
17 conducted by a United States probation officer. Failure to
18 submit to a search may be grounds for revocation of release.
19 You must warn any other occupants that the premises may be
20 subject to searches pursuant to this condition.

21 The probation officer may conduct a search under this
22 condition only when reasonable suspicion exists that you have
23 violated a condition of supervision and that the areas to be
24 searched contain evidence of this violation. Any search must
25 be conducted at a reasonable time and in a reasonable manner.

2:20-cr-00018-JCM-EJY

1 Do you understand that?

2 THE DEFENDANT: I do.

3 THE COURT: All right. Ms. Loveless, do you have a
4 copy of those conditions?

5 If you would submit them to the defendant here in open
6 court -- thank you -- and he may study them as he sees fit.

7 All right. Mr. Mares, in your plea agreement, you
8 waived your rights to appeal your conviction and sentence.
9 Nevertheless, there may be certain appellate rights that cannot
10 be waived.

11 If you desire to appeal your conviction and sentence,
12 you must file notice of appeal with this court within 14 days
13 from today's date.

14 In the event you cannot afford to pay the costs on
15 appeal, you may request permission to proceed in forma
16 pauperis. If you require the services of an attorney to assist
17 on the appeal and cannot afford to pay an attorney, one will be
18 appointed to represent you at no cost to yourself but at
19 Government expense. And if you require any transcripts of any
20 proceedings in order to prosecute your appeal and cannot afford
21 to pay for those transcripts, they also will be provided at
22 Government expense.

23 Do you understand that?

24 THE DEFENDANT: I do.

25 THE COURT: All right. Now, we need a surrender date.

2:20-cr-00018-JCM-EJY

1 THE COURTROOM ADMINISTRATOR: Yes, your Honor.

2 June 24, 2022 by 12:00 noon.

3 THE COURT: At 12:00 noon, right?

4 THE COURTROOM ADMINISTRATOR: Yes. Correct.

5 THE COURT: All right. Now, what's going to happen,
6 Mr. Mares, is in 75 days -- it takes about two and a half
7 months -- the Bureau of Prisons is going to designate you to a
8 facility. So they'll send you a letter in 75 days. So it's
9 not going to come next week, but it will be two and a half
10 months. It takes them that long. So they'll send you a letter
11 saying "This is the facility to which you've been designated,"
12 and it's your obligation to be at that facility at noon -- on
13 or before noon on June 24th.

14 Do you understand that?

15 THE DEFENDANT: I do.

16 THE COURT: Now, you don't have to be there at, you
17 know, 5:00 in the morning, but I would there 15 minutes early
18 because if you aren't there at noon straight-up, they assume
19 you have absconded and you don't want to start your
20 incarceration off that -- on that foot.

21 Okay? Do you understand?

22 THE DEFENDANT: I do.

23 THE COURT: All right.

24 MR. GILL: Your Honor, can we make --

25 THE COURT: Designations?

2:20-cr-00018-JCM-EJY

1 MR. GILL: Yes. Thank you. As close to Nevada -- Las
2 Vegas as possible. I know that's --

3 THE COURT: Any facility close to Las Vegas?

4 MR. GILL: Yes.

5 THE COURT: Okay. That's -- we'll use your term, "as
6 close as possible to Las Vegas."

7 MR. GILL: Thank you, your Honor.

8 THE COURT: Okay. And hopefully they'll be able to
9 comply with that at the Bureau of Prisons.

10 All right. Anything else to come before the Court?
11 Anything from the Government?

12 MS. REESE: No, your Honor. Thank you.

13 THE COURT: Anything from the defense?

14 MR. GILL: No. Thank you, your Honor.

15 THE COURT: Thank you. We'll be in recess.

16 (The proceedings concluded at 10:40 a.m.)

17 * * *

18

19

20

21

22

23

24

25

2:20-cr-00018-JCM-EJY

--o0o--

COURT REPORTER'S CERTIFICATE

I, SAMANTHA N. MCNETT, Official Court Reporter, United States District Court, District of Nevada, Las Vegas, Nevada certify that the foregoing is a correct transcript from the record of proceedings in the above-entitled matter.

Date: June 4, 2022

/s/ Samantha N. McNett
Samantha McNett, RPR, CRR, CCR